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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/069,054	04/28/1998	KING W. CHAN	ACT-233	2978
7590	02/01/2006		EXAMINER	
KENNETH D'ALESSANDRO SIERRA PATENT GROUP LTD PO BOX 6149 STATELINE, NV 89449				THOMPSON, ANNETTE M
		ART UNIT	PAPER NUMBER	2825

DATE MAILED: 02/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/069,054	CHAN ET AL.
	Examiner A. M. Thompson	Art Unit 2825

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 07 May 2002.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-39 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-39 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 28 April 1998 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. Examiner notes the granted petition for revival on unintentional grounds. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 7, 2002 has been entered.
2. Applicants' amendment to 09/069,054 has been examined. Claims 1-39 are pending.
3. Applicants' amendment has been considered but is not persuasive.

Drawings

4. Figures 1A-1F, 2 and 3 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

5. Although Applicants' asserted that corrected drawings had been previously submitted, there is no record of these papers.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Rejection of claims 1-3, 7-9 and 11-19

7. **Claims 1-3, 7-9 and 11-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Tavana et al., U.S. Patent 5,825,202 (hereinafter "Tavana).** Tavana discloses an integrated circuit with field programmable and application specific logic areas and the interconnections used.

8. Pursuant to claim 1, which recites an interface architecture in an integrated circuit, Tavana, Figs. 3-5 discloses interface architecture that is either mask-defined or FPGA programmable, comprising an FPGA portion of said integrated circuit having logic blocks. . .and interconnect conductors for programmable connections: Tavana, col. 2, ll. 4-9, col. 5, ll. 31-54; an ASIC portion having mask programmed logic circuits and interconnect conductors: Tavana discloses a mask-defined ASLA, col. 5, ll. 55-64; masked programmed dedicated interface tracks connected logic blocks in the

FPGA and mask programmed interconnect conductors in the ASIC portion: Tavana discloses mask-defined routing for interconnecting FPGA and ASLA (Fig. 3, # 20, #18).

9. Pursuant to claim 2, wherein the interconnect conductors in the FPGA portion include local routing resources: Tavana discloses that local routing resources are included through the use of switch matrices, col. 5, ll. 31-54; see also Fig. 3.

10. Pursuant to claim 3, wherein interface buffers are disposed in series with said dedicated interface tracks between FPGA portions and ASIC portion: Tavana discloses the option of interconnection using buffer at col. 6, ll. 34-64.

11. Pursuant to claim 7, which further includes an FPGA-ASIC routing channel: Tavana, Fig. 2, col. 5, ll. 13-21.

12. Pursuant to claim 8, wherein the FPGA-ASIC routing channel is mask-programmable: See Tavana, Figs. 3-5, where the routing channel is field configurable and mask programmable, col. 6, ll. 7-27; col. 7, ll. 6-13.

13. Pursuant to claim 9, wherein the FPGA-ASIC routing channel is field-programmable: See Tavana, Figs. 3-5 where the routing channel is field configurable and mask programmable, col. 6, ll. 7-27; col. 7, ll. 6-13.

14. Pursuant to claims 11 and 14, which further includes a plurality of IO modules arranged on the perimeter of the IC: Tavana, Fig. 2, illustrates this limitation; see also col. 4, line 62 to col. 5, line 12.

15. Pursuant to claim 12, wherein one or more of said IO modules are connected to said FPGA portion: Tavana, Fig. 2, col. 4, line 62 to col. 5, line 2.

16. Pursuant to claim 13, wherein one or more of said IO modules are connected to said ASIC portion: Tavana, Fig. 2, col. 4, line 62 to col. 5, line 2.

17. Pursuant to claim 15, wherein one or more of said IO modules are connected to said FPGA-ASIC routing channel: Tavana, Figs. 4 and 5 illustrates this limitation, also see col. 6., ll. 18-64.

18. Pursuant to claim 16, wherein the ASIC portion is adjacent to one side of said FPGA portion: This limitation is illustrated by Tavana, Figure 2.

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Rejection of claims 17-19

21. Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tavana. Tavana discloses all the limitations of claim 1, from which these claims depend but Tavana does not explicitly discloses the exact configuration relating to the placing of the ASIC portion with respect to the FPGA portion. However, Tavana discloses at least one side of the ASIC adjacent to the FPGA. It would have been obvious to one of ordinary skill in the art at the time of Applicants' invention to exercise their design prerogative and modify the design architecture of Tavana to facilitate a routing or timing objective by making the ASIC portion adjacent to two, three or four sides of the FPGA portion.

Rejection of claims 4-6

22. Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tavana as applied to claim 1, *supra*, in view of Bertolet et al., U.S. Patent 5,671,432 ("Bertolet"). Tavana discloses all the limitations of claim 1 from which claims 4-6 depends. Tavana fails to discloses the specific logic used for the discloses programmable I/O blocks. Bertolet discloses a programmable array having programmable logic cells, a programmable interconnect network and a programmable system. Bertolet teaches an advance I/O system capable of handling high logic densities peculiar to FPGA. It would have been obvious to one of ordinary skill in the art at the time of Applicants' invention to modify the teaching of Tavana with Bertolet to provide advanced circuitry for Tavana's dense combined FPGA/ASLA integrated circuit. (The citations reference Bertolet, unless otherwise stated).

23. Pursuant to claim 4, wherein the interface architecture includes an input buffer: Fig. 4, 60a and 60b; an output buffer said output buffer connected to said input buffer: Fig. 4, 58a, 58b; three multiplexers, two of said muxes connected to said output buffer and one of said muxes connected to said input buffer: Fig. 4, 52a, 54a, 56a, 52b, 54b, 56b; a configurable register, said configurable register connected to each of said muxes: Bertolet, Fig. 6, details the muxes illustrated in Fig. 4. Bertolet Fig. 6, shows memory elements connected to each mux. Bertolet further teaches that the memory contains user programming information which is the same as configuration information, col. 8, ll. 2-16.

24. Pursuant to claim 5, wherein the interface architecture includes an input buffer: Fig. 4, 60a and 60b; an output buffer said output buffer connected to said input buffer: Fig. 4, 58a, 58b; three multiplexers, two of said muxes connected to said output buffer and one of said muxes connected to said input buffer: Fig. 4, 52a, 54a, 56a, 52b, 54b, 56b; a memory store, said memory store connected to each of said muxes, Bertolet, Fig. 6, details the muxes illustrated in Figure 4. Bertolet Fig. 6, shows memory elements connected to each mux. Bertolet further teaches that the memory contains user programming information which is the same as configuration information, col. 8, ll. 2-16.

25. Pursuant to claim 6, wherein the interface architecture includes an input buffer: Fig. 4, 60a and 60b; an output buffer said output buffer connected to said input buffer: Fig. 4, 58a, 58b; three multiplexers, two of said muxes connected to said output buffer and one of said muxes connected to said input buffer: Fig. 4, 52a, 54a, 56a, 52b,

54b, 56b; programmable elements, said programmable elements connected to each of said muxes: Bertolet, Fig. 6, details the muxes illustrated in Figure 4. Bertolet Fig. 6, shows memory elements connected to each mux; see also Bertolet, col. 8, ll. 2-16 which teaches that the memory contains user programming information.

Rejection of claim 10

26. **Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tavana as applied to claim 1, supra, in view of Sharma et al., U.S. Patent 5,878,051 (“Sharma”).**

27. Tavana discloses all the limitations of the claim from which claim 10 depends. However, Tavana does not disclose the inclusion of JTAG buffers between the FPGA and the ASIC logic portions. Sharma discloses an FPGA which is reconfigured during a test mode to perform testing of an ASIC or other IC component, col. 2, ll. 18-61. It would have been obvious to one of ordinary skill in the art to modify the teaching of Tavana with Sharma and use the IEEE JTAG standard to provide interface ports between the ASIC and the FPGA to enable testing of the FPGA-ASIC assemblage.

28. Pursuant to claim 10, wherein there are JTAG buffers arranged between said dedicated interface tracks and ASIC portions: Sharma, Fig. 2, col. 5, ll. 8-56; see also col. 8, ll. 4-65.

Rejection of claims 16-19

29. **Claims 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tavana in view of Applicant’s admitted prior art.**

30. Tavana discloses all the limitations of claim 1, from which claims 16-19 depends but does not discloses the exact configurations relating to the placing of the ASIC portion with respect to the FPGA portion. Applicants' admitted prior art (AAPA) discloses these limitations and it would have been obvious to one of ordinary skill in the art to rely on, consider, and incorporate what is already well known prior art in determining further improvements.

31. Pursuant to claim 16 wherein said ASIC portion is adjacent to one side of said FPGA portion: AAPA, Fig. 1A, 1B.

32. Pursuant to claim 17 wherein said ASIC portion is adjacent to two sides of said FPGA portion: AAPA, Fig. 1C, 1D.

33. Pursuant to claim 18 wherein said ASIC portion is adjacent to three sides of said FPGA portion: AAPA, Fig. 1C, 1D (including the side between the I/O and the FPGA and ASIC).

34. Pursuant to claim 19 wherein said ASIC portion is adjacent to four sides of said FPGA portion: AAPA, Fig. 1E, 1F.

Rejection of claim 20

35. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tavana in view of the Aggarwal et al paper and Rush, U.S. patent 5,742,181.

36. Tavana discloses all the limitations of claim 1 from which claim 20 depends, but fails to discloses hierarchical design structures. The Aggarwal paper discloses routing architectures for hierarchical field programmable gate arrays. Rush discloses FPGAs with hierarchical interconnect structures. It would have been obvious

to one of ordinary skill in the art at the time of applicant's invention to modify Tavana with the Aggarwal paper and Rush and implement a hierarchical FPGA having the advantages of lower density and increased routing efficiency.

37. Pursuant to claim 20, wherein the FPGA portion has a hierarchical design: The Aggarwal paper teaches FPGA hierarchical designs, pages 475-477. Rush teaches FPGAs or generally programmable atomic logic elements with a hierarchical interconnect structure, col. 4, line 10 to col. 13, line 8.

Rejection of claims 21-23, 27-29, 31-36

38. **Claims 21-23, 27-29, 31-36 are rejected under 35 USC 103(a) as being unpatentable over Tavana in view of the Aggarwal paper and Rush.** Tavana discloses an integrated circuit with field programmable and application specific logic areas (ASLA) and the interconnections. Tavana does not teach hierarchical design structures. The Aggarwal paper discloses routing architectures for hierarchical field programmable gate arrays. Rush discloses FPGAs with hierarchical interconnect structures. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Tavana with the Aggarwal paper and Rush and implement a hierarchical FPGA having the advantages of lower density and increased routing efficiency.

39. Pursuant to claim 21 which recites an interface architecture in an integrated circuit, Tavana, Figs. 3-5 discloses interface architecture that is either mask-defined or FPGA programmable, comprising an FPGA portion of said integrated circuit having logic blocks. . .and interconnect conductors for programmable connections:

Tavana, col. 2, ll. 4-9, col. 5, ll. 31-54; an ASIC portion having mask programmed logic circuits and interconnect conductors: Tavana discloses a mask-defined ASLA, col. 5, ll. 55-64; masked programmed dedicated interface tracks connected logic blocks in the FPGA and mask programmed interconnect conductors in the ASIC portion: Tavana discloses mask-defined routing for interconnecting FPGA and ASLA (Fig. 3, # 20, #18).

40. Pursuant to claim 22, wherein the interconnect conductors in the FPGA portion include local routing resources: Tavana discloses that local routing resources are included through the use of switch matrices, col. 5, ll. 31-54; see also Fig. 3.

41. Pursuant to claim 23, wherein interface buffers are disposed in series with said dedicated interface tracks between FPGA portions and ASIC portion: Tavana discloses the option of interconnection using buffer at col. 6, ll. 34-64.

42. Pursuant to claim 27, which further includes an FPGA-ASIC routing channel: Tavana, Fig. 2, col. 5, ll. 13-21.

43. Pursuant to claim 28, wherein the FPGA-ASIC routing channel is mask-programmable: See Tavana, Figs. 3-5, where the routing channel is field configurable and mask programmable, col. 6, ll. 7-27; col. 7, ll. 6-13.

44. Pursuant to claim 29, wherein the FPGA-ASIC routing channel is field-programmable: See Tavana, Figs. 3-5 where the routing channel is field configurable and mask programmable, col. 6, ll. 7-27; col. 7, ll. 6-13.

45. Pursuant to claims 31 and 34, which further includes a plurality of IO modules arranged on the perimeter of the IC: Tavana, Fig. 2, illustrates this limitation; see also col. 4, line 62 to col. 5, line 12.

46. Pursuant to claim 32, wherein one or more of said IO modules are connected to said FPGA portion: Tavana, Fig. 2, col. 4, line 62 to col. 5, line 2.

47. Pursuant to claim 33, wherein one or more of said IO modules are connected to said ASIC portion: Tavana, Fig. 2, col. 4, line 62 to col. 5, line 2.

48. Pursuant to claim 35, wherein one or more of said IO modules are connected to said FPGA-ASIC routing channel: Tavana, Figs. 4 and 5 illustrates this limitations, also see col. 6,, ll. 18-64.

49. Pursuant to claim 36, wherein the ASIC portion is adjacent to one side of said FPGA portion: This limitation is illustrated by Tavana, Figure 2.

Rejection of claims 24-26

50. **Claims 24-26 are rejected under 35 USC 103(a) as being unpatentable over Tavana in view of the Aggarwal paper and Rush as applied to claim 21, supra, and further in view of Bertolet.**

51. Tavana in view of the Aggarwal paper and Rush discloses all the limitations of claim 21 but fails to disclose a programmable array. Bertolet discloses a programmable array having programmable logic cells, a programmable interconnect network and a programmable system. Bertolet teaches an advance I/O system capable of handling high logic densities peculiar to FPGA. It would have been obvious to one of ordinary skill in the art at the time of Applicants' invention to modify the teaching of Tavana, Aggarwal and Rush with Bertolet to provide advanced circuitry for Tavana's dense combined FPGA/ASLA integrated circuit. (The citations reference Bertolet, unless otherwise stated)

52. Pursuant to claim 24, wherein the interface architecture includes an input buffer: Fig. 4, 60a and 60b; an output buffer said output buffer connected to said input buffer: Fig. 4, 58a, 58b; three multiplexors, two of said muxes connected to said output buffer and one of said muxes connected to said input buffer: Fig. 4, 52a, 54a, 56a, 52b, 54b, 56b; a configurable register, said configurable register connected to each of said muxes: Bertolet, Fig. 6, details the muxes illustrated in Fig. 4. Bertolet Fig. 6, shows memory elements connected to each mux. Bertolet further teaches that the memory contains user programming information which is the same as configuration information, col. 8, ll. 2-16.

53. Pursuant to claim 25, wherein the interface architecture includes an input buffer: Fig. 4, 60a and 60b; an output buffer said output buffer connected to said input buffer: Fig. 4, 58a, 58b; three multiplexors, two of said muxes connected to said output buffer and one of said muxes connected to said input buffer: Fig. 4, 52a, 54a, 56a, 52b, 54b, 56b; a memory store, said memory store connected to each of said muxes, Bertolet, Fig. 6, details the muxes illustrated in Figure 4. Bertolet Fig. 6, shows memory elements connected to each mux. Bertolet further teaches that the memory contains user programming information which is the same as configuration information, col. 8, ll. 2-16.

54. Pursuant to claim 26, wherein the interface architecture includes an input buffer: Fig. 4, 60a and 60b; an output buffer said output buffer connected to said input buffer: Fig. 4, 58a, 58b; three multiplexors, two of said muxes connected to said output buffer and one of said muxes connected to said input buffer: Fig. 4, 52a, 54a, 56a, 52b,

54b, 56b; programmable elements, said programmable elements connected to each of said muxes: Bertolet, Fig. 6, details the muxes illustrated in Figure 4. Bertolet Fig. 6, shows memory elements connected to each mux; see also Bertolet, col. 8, ll. 2-16 which teaches that the memory contains user programming information.

Rejection of claim 30

55. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tavana in view of the Aggarwal paper and Rush as applied to claim 21, *supra*, and further in view of Sharma. Tavana in view of Aggarwal paper and Rush teaches the limitations of claim 21 from which this claim depends but does not disclose the inclusion of JTAG buffers between the FPGA and AASIC logic portions. Sharma discloses an FPGA which is reconfigured during a test mode to perform testing of an ASIC or other IC component, col. 2, ll. 18-61. It would have been obvious to one of ordinary skill in the art to modify the teachings of Tavana, the Aggarwal paper and Rush with Sharma and use the IEEE JTAG standard to provide interface ports between the ASIC and the FPGA to enable testing of the FPGA-ASIC assemblage.

56. Pursuant to claim 30, wherein there are JTAG buffers arranged between said dedicated interface tracks and ASIC portions: Sharma, Fig. 2, col. 5, ll. 8-56; see also col. 8, ll. 4-65.

Rejection of claims 36-39

57. Claims 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tavana in view of the Aggarwal paper and Rush as applied to claim 21 above and further in view of Applicant's admitted prior art (AAPA) .

58. Tavana in view of the Aggarwal paper and Rush discloses all the limitations of claim 21, from which claims 36-39 depends but does not discloses the exact configurations relating to the placing of the ASIC portion with respect to the FPGA portion. Applicants' admitted prior art (AAPA) discloses these limitations and it would have been obvious to one of ordinary skill in the art to rely on, consider, and incorporate what is already well known prior art in determining further improvements.

59. Pursuant to claim 36 wherein said ASIC portion is adjacent to one side of said FPGA portion: AAPA, Fig. 1A, 1B.

60. Pursuant to claim 37 wherein said ASIC portion is adjacent to two sides of said FPGA portion: AAPA, Fig. 1C, 1D.

61. Pursuant to claim 38 wherein said ASIC portion is adjacent to three sides of said FPGA portion: AAPA, Fig. 1C, 1D (including the side between the I/O and the FPGA and ASIC).

62. Pursuant to claim 39 wherein said ASIC portion is adjacent to four sides of said FPGA portion: AAPA, Fig. 1E, 1F.

Remarks

63. Applicants' arguments have been fully considered but remains unpersuasive. With respect to the rejections under 35 USC 102, Applicants primarily assert that Tavana does not teach Mask programmed dedicated interface tracks. Examiner has provides the pertinent citations for this limitation, *supra*, and further cites Tavana, col. 6, lines 18-27 as disclosing this limitation.

Conclusion

64. This is a continued examination of applicant's earlier Application No. 09/069,054. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action (after RCE filing) in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

65. Any inquiry concerning this communication or earlier communications should be directed to Examiner A.M. Thompson whose telephone number is (571) 272-1909. The Examiner can usually be reached Monday thru Friday from 8:00 a.m. to 4:30 p.m..

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

66. Responses to this action should be mailed to the appropriate mail stop:

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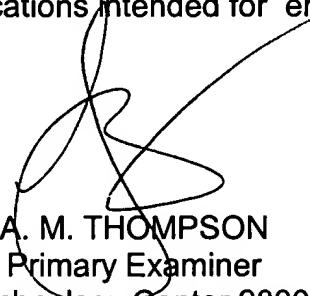
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